No. 2321—L. C. dated Bangalore, 8th December 1948.

Under Standing Order 36 of the Mysore Legislative Council Standing Orders, the following report of the Select Committee on the Mysore Aided Institutions (Prohibition of Transfers of Property) Bill is published for general information.

By Order,
T. KEMPAIYA,
Secretary,
Mysore Legislative Council.

REPORT OF THE SELECT COMMITTEE OF THE MYSORE AIDED INSTITUTIONS (PROHIBITION OF TRANSFERS OF PROPERTY) BILL.

We, the Members of the Select Committee, to which the Mysore Aided Institutions (Prohibition of Transfers of Property) Bill has been referred, have considered the Bill at a meeting held on the 31st August 1948 and have the honour to submit the following report :—

(1) *Clause* 2 (3).—After 'manager.' substitute 'includes' for 'means'.

(2) *Clause* 2 (4).—After 'gift' substitute the full stop by a comma and add 'provided however, that it shall not include any lease for a period not exceeding five years'.

(3) *Clause* 3 (1) (*a*).—After the word 'institution' delete the words 'by the manager thereof'.

(4) *Clause* 3 (1) (*b*).—Amended as follows :—

"any land or building has been transferred by the Government or by any local authority for use for the purposes of any institution."

"Then, notwithstanding ....permission of Government." (to be read as a separate para.

(5) *Clause* 3 (2).—(i) and (ii) be substituted by the following :—

(i) the transfer is made in furtherance of the purposes of the institution or of similar purposes approved by the Government and the assets resulting from the transfer are to be wholly utilized in furtherance of the said purposes ;

(ii) the transfer is made only in part in furtherance of the purposes aforesaid, provided repayment is made to the Government or the local authority concerned as the case may be, of such portion as the Government may deem proper in the circumstances of the case, of the grant referred to in sub-section (1), clause (a), or of the current market value of the land or building referred to in sub-section (1), clause (*b*), or of both, as the case may be ;

(iii) the transfer is made for any other valid reason, provided repayment is made to the Government or the local authority concerned as the case may be, in full of the grant referred to in sub-section (1), clause (*a*), or of the current market value of the land or building referred to in sub-section (1), clause (*b*), or of both, as the case may be.

(6) *Explanation.*—When granting permission under clause (i) or (ii) for the transfer of any land or building, the Government may impose such conditions as they deem fit to ensure that the assets resulting from the transfer are utilized wholly or in part, as the case may be, in furtherance of the purposes referred to in those clauses ; but a contravention of any such condition imposed on the transferor shall not invalidate the transfer.

(7) *Clause* 4. (a)—After the words ' Deputy Commissioner ' omit the words ' or the Collector '.

(8) (*b*) After the words ' Deputy Commissioner ' omit the words ' or the Collector '.

(9) *Clause* 5—After the word ' under ' and before the word ' section 4 ' add ' sub-section 2 of section 3 or.'

(10) *Clause* 6. (1).—After the words ' Deputy Commissioner ' omit the words ' or the Collector.'

(11) Between the words 'Government' and 'free' add the words 'or in the local authority concerned as the case may be.'

(12) (2) After the words 'Deputy Commissioner' omit the words 'or the Collector.' (occurring in two places).

(13) (3) After the words 'Deputy Commissioner' omit the words 'or the Collector'.

(14) For the words 'six months' substitute 'three months' and for the words 'five thousand rupees' substitute the words 'five hundred rupees.'

(15) (4) Read as follows :—

'Any land or building which vests in the Government or in the local authority concerned under sub-section (1) shall be used by the Government or the local authority, so far as may be, only for purposes similar to those for which it was being used before such vesting.'

(16) *Clause* 7.—After the words 'section 4 may' and before the word 'be' add the words 'without prejudice to any mode of recovery provided in any other law for the time being in force.'

(17) After Clause 7 add the following and number it as Clause 8 :—

(18) 'The Government may, by notification in the Official Gazette, make rules not inconsistent with this Act for carrying into effect the purposes thereof'.

In our judgment the Bill has not been so altered as to require republication. The publication directed by the Rules has taken place on the 11th day of June 1948.

K. T. BHASHYAM.
D. S. MALLAPPA.
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H. M. CHANNABASAPPA.
E. STUDER.
M. A. GOPALSWAMY IYENGAR.
M. J. PADMANABHAN.
O. VEERABASAPPA.
M. R. LAKSHAMMA.
S. KANAKARATNARAJ.

Sri Kadidal Manjappa, B.A., LL.B., was not present during the deliberations.